

JAN 05 2007

**REMARKS**

The claims appearing in this application were 1 through 20. Claims 2 and 17 through 20 have been cancelled without prejudice. The claims now appearing for consideration are 1 and 3 through 16.

In the Office action dated July 5, 2006, all of the claims were rejected under 35 U.S.C. § 103(a) over the principal reference Lyons (U.S. 6,181,343) in view of Viktorsson, et al. (U.S. 6,397,080) and claims 8, 10, and 15 were likewise so rejected but in addition, the reference Honda (U.S. 6,020,885) was also added. This action was made final. Applicants have amended the claims to more fully define their invention and requests reconsideration of the claims as amended and the issuance of a notice of allowance with respect thereto.

Applicants' invention is directed to a method and a system in which a user interacts within an immersive online virtual community having avatar virtual objects. Multiple computers are connected together utilizing telecommunications, mechanisms optimized for low band width connections. Tools are provided to the users of the multiple computers and these tools include identity tools. The users of the interconnected multiple computers, utilizing the identity tools, select specific characteristics to represent avatar objects in such a manner that these characteristics create a unique personality specified by the user and presents the user in the online community. Interface tools are also provided and are used so that the avatar objects interact with each other utilizing these interface tools in such a manner that the avatar objects receive real time responses to stimuli initiated by other avatar objects. The avatar objects interactively pass user generated content under appropriate administrative controls and the users through the multiple interconnected computers controllably navigate the avatar objects within the confines of the immersive online community. Applicants respectfully submit that the references Lyons, Viktorsson, and Honda taken separately or together do not even hint at the method and system as defined by applicants' claims as presently amended.

### **The Lyons Reference**

The Lyons reference discloses only a system and method for permitting three-dimensional navigation through virtual reality environment using camera based gesture inputs by users. It is clear throughout the disclosure of Lyons that Lyons deals only with a virtual reality environment that is created by projecting that environment on a video display screen in front of which one or more system users move. A video camera is utilized to determine the three-dimensional positions of the bodies and the principal body parts of the system users. The signals thus generated are processed to construct three-dimensional images of the system users and the interaction area on the video image display means. See for example, column 7, lines 25 through 64.

Lyons repeatedly emphasizes that the system and method as disclosed uses camera-based gesture inputs of the users in relation to the video display screen virtual reality environment to provide three-dimensional navigation through the virtual reality environment. At column 9, beginning at line 63 and continuing through column 10, line 31 there is provided a description of the manner in which the system interacts with the users. As is therein set forth, the invention as disclosed by Lyons permits navigation through the virtual reality environment in such a manner that when a user walks in front of the display screen 54, the software computes the location where the user is standing. When the user takes a step forward, backward, sideways or bends over, the software moves graphical images on the display screen so that the user appears to be navigating in the environment. Additional gestures by the user such as raising or lowering of the hand or moving the head also causes the software to cause graphical images generated and appearing on the screen in the virtual reality environment to rotate or otherwise move so that it appears that the users through their gestures are picking up graphical objects or walking or otherwise moving through the virtual reality environment. That is, human beings in real time are placing themselves in the virtual reality environment and the system causes the objects in the environment to respond to the movements of the human being.

Lyons does not disclose or even hint at the interaction of users in an online community through the use of avatar virtual objects. There is no hint of interconnecting multiple computers using telecommunications mechanisms optimized for low band width connections. There is no hint of the users of the multiple computers utilizing identity tools to create a unique avatar representative of the user in the online community or providing interface tools so that the avatar objects receive real time responses to stimuli initiated by other avatar objects nor does Lyons in any way suggest interactively passing user generated content between the avatar objects and in addition, there is no hint of users through their computers controllably navigating avatar objects within the confines of the immersive online community.

The applicants have difficulty understanding how Lyons, which is limited in its disclosure to the utilization of camera-based gesture inputs of human being users standing in front of a video image of a virtual reality display to navigate through the virtual reality environment has any applicability whatsoever to the generation, navigation, and manipulation of user generated avatars within an online community. Applicants therefore respectfully request withdrawal of the Lyons reference and reconsideration of claims 1 and 11 (the only independent claims appearing herein) and the issuance of a notice of allowance with respect to all of the claims under consideration.

#### **The Viktorsson Reference**

The Examiner utilized the teachings of the Viktorsson reference to overcome admitted shortcomings in the Lyons reference in the Office action of July 5, 2006.

Applicants respectfully submit that Viktorsson does not disclose the method and system as defined by applicants in the claims as amended and presently under consideration. Viktorsson does disclose avatars in various formats. Applicants do not in any way assert that they are the inventors of avatars but are rather utilizing a unique system and method for creating avatars by users on interconnected multiple computers and for navigating those avatars through an online community. Viktorsson is concerned

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primarily with generating a technique or system so that the virtual world may be accessed from certain preselected terminals in which avatar information is stored. This is accomplished by utilizing a subscriber identity module such as a smart card and by integrating the information about the avatar in the card. That card may then be utilized by the user to enter an avatar into a virtual world. This allows the user through utilization of the subscriber identifier module to move around and use that module in many different pieces of equipment such as a mobile phone, a public phone booth, a public internet terminal, a personal computer, or any other communication device that can read the card comprising the avatar information. Applicants respectfully submit that Viktorsson does not cure the defects in the Lyons reference as above pointed out. Applicants respectfully submit that the reference Honda does not fulfill the shortcomings of the Lyons reference as above pointed out.

Applicants note that the Examiner is still denying priority based upon the provisional application referenced herein. Applicants respectfully request reconsideration thereof. By comparison of the provisional application and the specification on file herein, applicants respectfully submit that one can note that substantially all of the narrative statements contained in the provisional application find one to one correspondence in the non-provisional application. For example, the heading in the provisional application entitled "General User Interface" finds an almost word for word correspondence beginning in paragraph 0046 of the non-provisional application. The introductory material in the provisional application down to the summary of the invention finds a one for one replication in the first three pages of the non-provisional application. The summary of the invention as contained in the provisional application finds duplication under "Summary of the Invention" in the non-provisional application with the material reorganized slightly.

In the Drawings, Figures 4 through 15 of the non-provisional application duplicate Figures 1 through 12 of the non-provisional application. The only drawings in the non-provisional application not found in the provisional are figures 1, 2, and 3 which are merely block diagrams illustrating the computer system which is described in the written

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material in the specification of the non-provisional and which also appears in the descriptive material of the provisional application. That material insofar as the blocks are concerned in Figures 1 and 3 are directly applicable and point to a screen shot which is Figure 1 of the provisional application.

Based upon this comparison of the provisional application to the non-provisional application, applicants respectfully submit that the requirements of 35 U.S.C. § 112, first paragraph is fully complied with in both the provisional and the non-provisional applications. In addition, applicants are at a loss as to the source of the Examiner's comment that "the non-provisional application had a total of 22 figures." According to the applicants attorney's copy of the non-provisional application, the non-provisional had only 15 figures and as above indicated, all but three of those were exact duplicates of what appeared in the provisional application.

Based upon this comparison, applicants respectfully request the withdrawal of the denial of priority and the granting of same.

In view of the foregoing amendments and these remarks, Applicants respectfully submit that claims 1 and 3 through 16 define subject matter which is patentable over the references of record taken separately or together and Applicants therefore respectfully request reconsideration thereof and the issuance of a notice of allowance in respect thereto.

Applicants have complied with all requirements made in the above-referenced communication. Accordingly, applicant(s) respectfully request that a timely Notice of Allowance be issued in this case.

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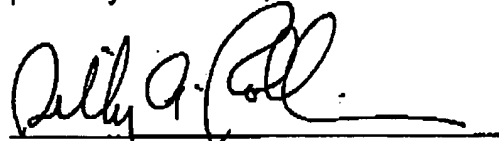
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Respectfully submitted,

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